

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD ALLISON,

Plaintiff

v.

CLARK COUNTY DETENTION CENTER,

Defendant

Case No. 2:21-cv-00096-JAD-BNW

ORDER

I. DISCUSSION

On January 22, 2021, this Court ordered Plaintiff to file a complaint and a fully complete application to proceed *in forma pauperis* or pay the full \$402 filing fee on or before March 23, 2021. (ECF No. 3). In that order, the Court misspoke when it said that Plaintiff was in the custody of the Nevada Department of Corrections (“NDOC”). Instead, the Court recognizes that Plaintiff is in the custody of the Clark County Detention Center (“CCDC”). As such, the Court hereby reissues the previous deadlines as follows:

Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff until **March 23, 2021** to submit a complaint to this Court.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to begin a civil action in this Court may apply to proceed *in forma pauperis* in order to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

- (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, this Court’s approved form (i.e. pages 1 through 3 with the inmate’s two signatures on page 3),

1 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail
2 official (i.e. page 4 of this Court's approved form), and

3 (3) a copy of the **inmate's prison or jail trust fund account statement for the**
4 **previous six-month period.**

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6 The Court will grant Plaintiff a **one-time** opportunity to file a complaint and a fully
7 complete application to proceed *in forma pauperis* containing all three of the required
8 documents, or in the alternative, pay the full \$402 filing fee for this action on or before
9 **March 23, 2021**. Absent unusual circumstances, the Court will not grant any further
10 extensions of time. If Plaintiff is unable to file a complaint and a fully complete application
11 to proceed *in forma pauperis* with all three required documents or pay the full \$402 filing
12 fee on or before **March 23, 2021**, this case will be subject to dismissal without prejudice
13 for Plaintiff to file a new case with the Court when Plaintiff is able to file a complaint and
14 able to acquire all three of the documents needed to file a fully complete application to
15 proceed *in forma pauperis* or pay the full \$402 filing fee.
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18 A dismissal without prejudice means Plaintiff does not give up the right to refile the
19 case with the Court, under a new case number, when Plaintiff is able to file a complaint
20 and has all three documents needed to submit with an application to proceed *in forma*
21 *pauperis*. Alternatively, Plaintiff may choose not to file an application to proceed *in forma*
22 *pauperis* and instead pay the full filing fee of \$402 on or before **March 23, 2021** to proceed
23 with this case.
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25 **II. CONCLUSION**

26 For the foregoing reasons, IT IS ORDERED that Plaintiff will submit a complaint to
27 this Court on or before **March 23, 2021**.
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1 IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the
2 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The
3 Clerk of the Court will also send Plaintiff a copy of his class action lawsuit for mass
4 murder. (ECF No. 1-1).

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6 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the
7 approved form application to proceed *in forma pauperis* by an inmate, as well as the
8 document entitled information and instructions for filing an *in forma pauperis* application.

9 IT IS FURTHER ORDERED that on or before **March 23, 2021**, Plaintiff will either
10 pay the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52
11 administrative fee) or file with the Court:

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13 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this
14 Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two
15 signatures on page 3),

16 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail
17 official (i.e. page 4 of this Court's approved form), and

18 (3) a copy of the **inmate's prison or jail trust fund account statement for the**
19 **previous six-month period.**

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1 IT IS FURTHER ORDERED that, if Plaintiff does not file a complaint and a fully
2 complete application to proceed *in forma pauperis* with all three documents or pay the full
3 \$402 filing fee for a civil action on or before **March 23, 2021**, this case will be subject to
4 dismissal without prejudice for Plaintiff to refile the case with the Court, under a new case
5 number, when Plaintiff is able to file a complaint and has all three documents needed to
6 file a complete application to proceed *in forma pauperis* or pays the full \$402 filing fee.
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8 DATED: January 27, 2021.

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10 UNITED STATES MAGISTRATE JUDGE
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